

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	<u>PATENT APPLICATION</u>
)	
Inventor: Amarender Kethireddy)	June 16, 2003
)	
)	ATTORNEY DOCKET
Serial No.: 10/066,088)	No. SLA 1164
)	
Filed: January 30, 2002)	Group Art Unit:
)	
Title: USER INTERFACE AND)	Examiner:
METHOD FOR PROVIDING)	
SEARCH QUERY SYNTAX)	
HELP)	
)	
)	

A DECLARATION OF ATTORNEY DAVID RIPMA

(EXHIBIT C)

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**DECLARATION OF ATTORNEY DAVID RIPMA
(EXHIBIT C)**

RECEIVED
JUN 23 2003

OFFICE OF PETITIONS

I, David Ripma, Reg. No. 27,672, declare as follows:

(1) I am attorney-of-record in application Serial No. 10/066,088 and counsel/manager of the patent department at Sharp Laboratories of America, Inc., 5750 N.W. Pacific Rim Blvd, Camas, WA 98607, where I am employed (hereinafter referred to as "the patent department"). Correspondence from the U.S.P.T.O. concerning application Serial No. 10/066,088 was sent to the patent department, not the inventor. Therefore, I am providing statements concerning the receipt and processing of correspondence from the U.S.P.T.O. A statement from the inventor would not support or prove non-receipt of correspondence because at SLA, where the

inventor is employed, the inventor does not directly receive correspondence from the U.S.P.T.O.

(2) On or about June 26, 2002, I was informed that the patent department had not received a Filing Receipt for our Docket No. SLA1164, which corresponds to application Serial No. 10/066,088. Accordingly, I sent a Status Inquiry dated Jun 26, 2000 to the U.S.P.T.O. (See Exhibit A). In the Status Inquiry, I stated that we had not received a filing receipt.

(3) I would not have sent a Status Inquiry if the patent department were in receipt of the filing receipt, or if we had received of a Notice to File Corrected Application Papers, mailed February 28, 2002. Thus the Status Inquiry provides additional proof of non-receipt.

(4) A copy of the original post card indicating that the Patent Office received the Status Inquiry is attached hereto as Exhibit B.

(5) Having received no response to the Status Inquiry before November 7, 2002, I instructed my secretary, Kimberly Mullen, to contact the patent office via phone. Ms. Mullen spoke with Ms. Robinson (customer service employee of the U.S.P.T.O.) who subsequently faxed a copy of the filing receipt and Notice to File Corrected Application Papers ("Office Action") to the Ms. Mullen's attention (See Ms. Mullen's statement attached hereto as Exhibit C and a copy of the fax received from U.S.P.T.O. customer service, Exhibit D).

(6) Upon receipt of the faxed copy of the filling receipt and Office Action provided by Ms. Robinson, and anticipating that applicant would receive a Notice of Abandonment, I instructed Scott Krieger, an attorney-of record in the present application who works for me, to send a Petition for Revival of an Application for Patent Abandoned Unavoidably

Under 37 CFR 1.137(a) and Response to Notice to File Corrected Application Papers ("the petition"). That petition was sent on December 11, 2002 (Exhibit G).

(7) On December 17, 2002, the Patent Office received the petition. On April 16, 2002 the petition was dismissed.

(8) I and my staff have made a diligent and thorough search of the file jacket and docket records of application Serial No. 10/066,088 which are regularly kept in my office. No Notice to File Corrected Application Papers, mailed February 28, 2002, was found in the file.

(9) Attached hereto is a true copy of a computer printout of the docket records of this office where the Notice to File Corrected Application Papers, mailed February 28, 2002, had it been received, would have been entered. Because the Notice to File Corrected Application Papers has a two-month response period, the docket printout is for dates on and around April 28, 2002 (See Exhibit E).

As attorney-of-record in application Serial No. 10/066,088, I respectfully submit that the foregoing, together with the exhibits accompanying this Declaration and the accompanying Petition, demonstrates that the Notice to File Corrected Application Papers, mailed February 28, 2002, was never received by applicant's attorney. That demonstration provides the necessary showing that the entire delay in filing the required reply to the Notice to File Corrected Application Papers, from the due date of April 28, 2002 until the filing of a grantable petition under 37 CFR § 1.137(a), was unavoidable.

Should the Petitions Attorney have any questions, please call
Mr. Ripma at (360) 834-8754.

Date: _____

6/16/03

By: _____

Respectfully submitted,

David C. Ripma,
Reg. No. 27,672

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